

**Zoning Ordinances/Restrictive Covenants
CITY OF AUSTIN**

**AGENDA
DATE: 4/20/2006**

#71

**RECOMMENDATION FOR
COUNCIL ACTION**

Subject: C14-06-0017.SH - Parker Lane Seniors- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3435 Parker Lane (Country Club Creek Watershed) from multi-family residence-limited density (MF-1) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading approved on April 6, 2006. Vote: 7-0. Applicant: Jim Shaw. Agent: Land Answers (Jim Wittliff). City Staff: Robert Heil, 974-2330.

Requesting Department: NPZD

For More Information:

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0017.SH (Parker Seniors)

REQUEST:

C14-06-0017.SH - Parker Lane Seniors- Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3435 Parker Lane (Country Club Creek Watershed) from multi-family residence-limited density (MF-1) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading approved on April 6, 2006. Vote: 7-0. Applicant: Jim Shaw. Agent: Land Answers (Jim Wittliff). City Staff: Robert Heil, 974-2330.

DEPARTMENT COMMENTS:

The request is from multi-family residential – limited density (MF-1) to community commercial – mixed use (GR-MU-CO) combining district zoning.

The intent of the developer is to develop a condominium project with approximately 28 units and some supporting commercial space on the portion of the tract nearer to Woodward St. This project has been certified by the City's S.M.A.R.T Housing program.

The remainder of the tract would be developed later. The stated intent of the developer is to develop a light commercial use that supports the recreational uses of Mabel Davis park, but no firm plans exist at this time.

The site lies in the Parker Lane neighborhood plan, which is still underway. The draft future land use map calls for mixed use on the site. The rezoning from MF-1 to GR-MU would support the draft future land use map.

Staff recommends approval of community commercial – mixed use (GR-MU-CO) combining district zoning. The neighborhood and applicant are supportive of the conditional overlay.

APPLICANT/OWNER: Jim Shaw

AGENT: Land Answers (Jim Wittliff).

DATE OF FIRST READING: April 6, 2006 (7-0).

CITY COUNCIL ACTION: Approved community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. (7-0).

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0017.SH Parker Seniors

P.C. Date: March 28, 2006

ADDRESS: 3435 Parker Lane

APPLICANT/OWNER: Jim Shaw

AGENT: Land Answers (Jim Whitliff)

ZONING FROM: MF-1
acres

TO: GR-MU-CO

AREA: 4.447

STAFF RECOMMENDATION:

Staff recommends approval of community commercial – mixed use (GR-MU-CO) combining district zoning, as described below.

Note: Staff recommendation does include the prohibition of the Group Home Uses. These uses may not be prohibited as per the Federal Fair Housing Act.

PLANNING COMMISSION RECOMMENDATION:

March 28, 2006: Planning Commission approved GR-MU-CO with the following conditions.:

For the entire property the following uses are prohibited:

- Administrative and Business Offices
- Automotive Rental
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Bail Bond Services
- Business and Trade Schools
- Business Support Services
- Commercial Off-Street Parking
- Communication Service Facility
- Communication Services
- Consumer Convenience Services
- Consumer Repair Services
- Counseling Services
- Cultural Services
- Day Care Services (commercial)
- Day Care Services (general)
- Day Care Services (limited)
- Exterminating Services
- Financial Services
- Funeral Services
- General Retail Services (Convenience)
- General Retail Services (General)
- Group Home, Class I (general)
- Group Home, Class I (limited)
- Group Home, Class II
- Guidance Services
- Hospital Services (limited)
- Hotel/Motel
- Indoor Entertainment
- Indoor Sports and Recreation
- Local Utility Services

- Medical Offices over 5,000 square feet
- Outdoor Sports and Recreation
- Pawn Shop Services
- Personal Improvement Services
- Pet Services
- Private Primary Educational Facilities
- Private Secondary Educational Facilities
- Public Primary Educational Facilities
- Public Secondary Educational Facilities
- Research Services
- Residential Treatment
- Restaurant (General)
- Restaurant (Limited)
- Safety Services
- Service Station
- Software Development Services
- Theater
- Urban Farm

Additionally the following restrictions would apply:

For Tract 1 (Phase 1)

- Maximum of 70 residential units
- Maximum of 2000 square feet of non-residential uses
- Maximum of 50% of impervious cover

For Tract 2 (Phase 2)

- Maximum residential density of 17 units/acre (MF-1 density)
- Maximum of 2000 square feet of non-residential uses
- Maximum of building height of 45 feet
- Maximum of 55% impervious cover

The following items will be addressed through a restrictive covenant between the applicant and the neighborhood:

- A pedestrian bridge will be provided linking Phase 1 to Mabel Davis park.
- Any ponds on site will be landscaped with earthen beams or stacked rock.
- A 5 foot sidewalk will be constructed on adjacent rights of way (Parker Lane and Woodward Street)

Note: Staff recommendation does include the prohibition of the Group Home Uses. These uses may not be prohibited as per the Federal Fair Housing Act.

DEPARTMENT COMMENTS:

The request is from multi-family residential – limited density (MF-1) to community commercial – mixed use (GR-MU-CO) combining district zoning.

The intent of the developer is to develop a condominium project with approximately 28 units and some supporting commercial space on the portion of the tract nearer to

Woodward St. This project has been certified by the City's S.M.A.R.T Housing program.

The remainder of the tract would be developed later. The stated intent of the developer is to develop a light commercial use that supports the recreational uses of Mabel Davis park, but no firm plans exist at this time.

The site is a vacant 4.5 acre tract between Woodward St. and Parker Ln. but not including the actual corner of those two streets, which is a different property.

The subject tract is adjacent to Mabel Davis Park, both the parking area for the park and an undeveloped wooded section of the park. To the north are apartments across Parker Lane, and to the west across Woodward St is the expansive IRS processing facility, with offices and warehouses, loading docks and large surface parking areas. To the south is a bank.

The site lies in the Parker Lane neighborhood plan, which is still underway. The draft future land use map calls for mixed use on the site. The rezoning from MF-1 to GR-MU would support the draft future land use map.

Staff recommends approval of community commercial – mixed use (GR-MU-CO) combining district zoning. The neighborhood and applicant are supportive of the conditional overlay.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-1	Vacant
<i>Corner Lot</i>	GR-CO	Vacant
<i>North</i>	MF-3	Apartments
<i>South</i>	CS	Bank
<i>East</i>	P	Mabel Davis District Park
<i>West</i>	CS and GR	Internal Revenue Service – Offices and Warehouse

AREA STUDY: Parker Lane Neighborhood Plan.

TIA: N/A

WATERSHED: Country Club Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS

- Southeast Austin Neighborhood Alliance
- The Crossing Gardenhome Owners Association
- Metcalfe Neighborhood Association
- PODER (People Organized to Defend Earth and her Resources)
- Austin Neighborhoods Council
- Barton Springs / Edwards Aquifer Conservation District
- Burleson Parker Neighborhood Associations
- South Austin Trails and Greenbelt Alliance
- East Riverside – Oltorf Neighborhood Planning Team
- South River City Citizens Association
- Terrell Lane Interceptor Association

SCHOOLS: (AISD ISD)

Linder Elementary School Fulmore Middle School Travis High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	Daily Traffic
Woodward St	80'	48'	Arterial	5409
Parker Lane	70'	44'	Collector	5869

CITY COUNCIL DATE:

ACTION:

4/06/06

Approved staff recommendation of first reading (7-0).

4/20/06

ORDINANCE READINGS:

1st

4/06/06

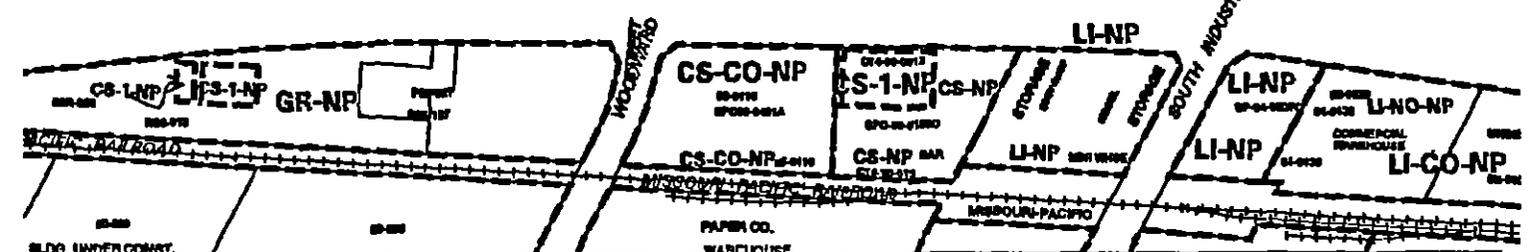
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



<p>1" = 400'</p>	<p>SUBJECT TRACT</p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: R.HEIL</p>	<p>ZONING</p> <p>CASE #: C14-06-0017.SH</p> <p>ADDRESS: 3438 PARKER LN</p> <p>SUBJECT AREA (acres): 4.447</p>	<p>DATE: 06-04</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>J18</p>	
	<p>Legend:</p> <ul style="list-style-type: none"> Hatched box: SUBJECT TRACT Dotted line: PENDING CASE Dashed line: ZONING BOUNDARY 				

GENERAL DISTRIBUTION

SUMMARY STAFF RECOMMENDATION

Staff recommends approval of community commercial – mixed use (GR-MU-CO) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Mixed Use on the site would be compatible with the more intensive uses to the west – and the similarly intense uses to the north and south.

2. *The zoning should support and advance neighborhood plans.*

The site lies in the Parker Lane neighborhood plan, which is still underway. The draft future land use map calls for mixed use on the site. The rezoning from MF-1 to GR-MU-CO would support the draft future land use map.

EXISTING CONDITIONS

The site is a vacant 4.5 acre tract between Woodward St. and Parker Ln. but not including the actual corner of those two streets, which is a different property.

The subject tract is adjacent to Mabel Davis Park, both the parking area for the park and an undeveloped wooded section of the park. To the north are apartments across Parker Lane, and to the west across Woodward St is the expansive IRS processing facility, with offices and warehouses, loading docks and large surface parking areas. To the south is a bank.

Site Plan (JAVIER DELGADO 974-7648)

Site plans will be required for any new development other than single-family or duplex residential.

Transportation (JOE ALMAZAN 974-2674)

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 10,437 trips per day, assuming that the site develops to the maximum intensity allowed under the GR zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

- a.) Based on the applicant's land use plan for 4,000 sq.ft. retail (maximum 2,000 sq.ft. retail use for each tract) and 70 multi-family dwelling units, the trip generation is estimated to 1,409 trips per day.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

There are existing sidewalks along Woodward Street (both sides) and Parker Lane (north side).

Woodward Street is classified in the Bicycle Plan as a Priority One bike route.

Parker Lane is classified in the Bicycle Plan as a Priority One bike route.

Capital Metro bus service is available along Woodward Street - Crosstown Route #328.

Capital Metro bus service is available along Parker Lane - Local Route #27 and the PL University Of Texas Route.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	Daily Traffic
Woodward St	80'	48'	Arterial	5409
Parker Lane	70'	44'	Collector	5869

Water and Wastewater (PAUL URBANEK 974-3017)

The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Environmental (JAVIER DELGADO 974-7648)

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Country Club West Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%

Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

